

28th April, 1959.

COCOM Doc. No. 3415.26/3B

COORDINATING COMMITTEERECORD OF DISCUSSIONSONTHE AMENDMENT OF ITEMS 1526 - COMMUNICATION CABLEAND 4481 - RAILWAY SIGNALLING APPARATUS20th, 23rd and 27th April 19595. List Policy  
General

Present: Belgium(Luxembourg), Canada, Denmark, France, Germany, Italy, Japan, Netherlands, Norway, Turkey, United Kingdom, United States.

References: COCOM Docs. 3436 and Addendum, 3444, 3450, 3451, 3452, 3464, 3470, 3472, 3473, 3474, 3475, 3483, 3487, 3415.26/1 and 2, 3489, 3492, 3500.

1. The CHAIRMAN pointed out that the Committee had agreed at its April 16th meeting (COCOM Document 3492, paragraph 16) to take up during the present session the examination of the amendment of Items 1526 and 4481. Only one proposal to this effect had been submitted: the French proposal set out in COCOM Document 3415.26/1, suggesting that Item 1526 be amended as follows:

"Communication cable (including submarine cable) of any type containing more than one pair of conductors and containing any conductor, single or stranded exceeding 0.9 mm in diameter, except those specially designed for telecommand, telecontrol and railway service communications".

The Chairman invited Delegates to make known their Governments' views on this proposal.

2. The ITALIAN Delegate stated that, before beginning a thorough discussion of the question on the agenda, he felt that it would be useful to specify the framework for the debate and to resolve a preliminary question affecting the Committee's essential principles, i.e. the application of the unanimity principle. It was important to remove all vestige of doubt as to the manner in which the Committee proposed to apply this principle in the present instance. All were aware that as a general rule, when the Committee had received a proposal for an amendment to a definition on the International Lists, they started out from a definition which had been unanimously agreed, the debate was opened on the possibility of amending that definition, and compromise solutions might be contemplated. The Committee usually reached unanimous agreement as to the amendment of the Item concerned. Alternatively, unanimity not having been achieved, the definition in force remained unchanged and in such an event it was customary for the Delegation having proposed the amendment to accept the views of the delegations favouring retention without change. The Delegate hoped that, before proceeding further, it could be agreed that all members of the Committee subscribed to this interpretation of the unanimity rule.

3. The CHAIRMAN stated that he did not feel there was any need for a long discussion on this point. There was no doubt in his mind that a proposal to amend an Item on the International Lists must secure unanimous agreement, failing which the definition in force remained unchanged.

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4. The ITALIAN Delegate thanked the Chairman for the statement he had just made and expressed his conviction that the whole of the Committee agreed with it. Taking note of the provisional withdrawal of the German request (COCOM Doc. 3500), the Delegate pointed out that the discussion as to the amendment of Item 1526, and the French Government's position regarding the export of cables to the Soviet Union, were closely linked.

5. The UNITED STATES Delegate stated first of all that his Italian colleague's preliminary remarks appeared to be perfectly sound. He believed that the observations he was instructed to submit would contribute to the clarity of the debate. The United States authorities had contemplated the possibility of an amendment to the Items concerned and had authorised their Delegation to take part in the present discussions if such were the desire of the Committee. It should be made clear from the outset however that in the eyes of the United States Delegation this discussion could not constitute an endeavour to legitimise an export which had already been authorised. The present study should be undertaken in such a manner as to be absolutely independent of the practical considerations which had given rise to it.

6. The Committee was at present in possession of a proposal from the French Delegation for the amendment of Item 1526 in order to exclude therefrom certain cables which, in another context, had formed the subject of prolonged discussions and which the quasi-unanimity of Member Governments recognised as being covered by the embargo. The United States Government's views on the strategic aspect of the matter were well known and had already been explained during the discussions concerning the possible export of the cables to the Soviet Union. The United States considered in short that the cables which the French Delegation proposed for exclusion from Item 1526 were capable of transmitting all the types of signals which would be supplied to them, from railway signals to the signals of an early warning system. The Delegate noted that the exclusion clause proposed by the French Delegation referred to the end-use of the cables and not to technical characteristics which would render them unsuitable for strategic uses. The United States Delegation believed in fact that the sole amendment possible would be to indicate in an unequivocal manner the interpretation which fourteen participating countries had recently confirmed for this Item.

7. The FRENCH Delegate, thanking the Chairman for the explanation he had been good enough to give in response to the Italian Delegate's question (paragraph 3 above), stated that he was in full agreement. Replying to the remarks made by the United States Delegate, the Delegate recalled that his Government's position had been stated on many occasions and referred particularly in this connection to paragraphs 23 to 25 of COCOM Document 3489 and to paragraph 15 of COCOM Document 3492. He emphasized that his Government's proposal was intended to avoid for the future divergencies of interpretation such as those which had manifested themselves recently. The Delegate stressed that there existed one essential factor enabling Post Office (P.T.T.) cables to be distinguished from S.N.C.F. cables: the habitual presence in Post Office long-distance cables of coaxial cables, which constituted the principal factor making possible long-range and wide-band communications. The S.N.C.F. cables, as the French Delegation had already conceded, might serve for the transmission over short distances of service communications assimilated in Western Europe to tele-signalisations and not to long-distance communications. It had to be borne in mind that these cables could not be placed end to end to be used for this purpose. If, contrary to all logic, attempts were made to do this and to use certain frequency-carrying quads, the maximum distance which could be realised, according to the standards of the International Telecommunications Union, would be in the region of 250 kms and the transmission obtained would be bad and would cease to be intelligible beyond 500 kms.

8. The UNITED KINGDOM Delegate welcomed the attempt by the French Delegation to solve the cable problem by means of a redefinition proposal, but

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his authorities were unable to accept the specific proposal for the following reasons: the terms Telecommand and Telecontrol were so wide as to make the proposed exception virtually all-embracing. Telecommand (taken to mean the initiation and control of action at a distance) were operations which might be employed for innocuous purposes (e.g., railway signalling) or for highly strategic ones (e.g., data transmission, predictor and fire control work). With regard to the proposed words "specially designed" the view of the United Kingdom Delegation was that the fact of "special design" for a particular purpose would be difficult and might be impossible to establish in the field of communications cable and, even if established, the fact might be irrelevant. What was relevant was the specification of the cable and of the terminal equipment with which it was to be used and the potential applications which were opened up in these specifications.

9. The FRENCH Delegate stated in reply to his United Kingdom colleague that the notion of "special design" of the cables could perfectly well be checked because the fact that certain quads of a cable were in conformity with the specifications of the International Telecommunications Union would not be enough to make it a communication cable. Thus, the cable ordered by the Soviet Union was, in the unanimous opinion of the experts, a cable specially designed for railway signalling; certain of its quads were loaded in a way which was abnormal for communications, it contained special signalling wires which were not used in telephony, the characteristics of the central quad indicated a utilisation for telecontrols and, lastly, the arrangement of the quads in the cable made this recognisable as a railway cable. The Delegate emphasized once more that the Russians would not experience any difficulty in manufacturing the cables which were necessary to them and that the major obstacle would lie in the production of the amplifiers and terminal equipment required for their utilisation as frequency-carriers; but with carrier equipment it was possible to use a single aerial line with two wires. The Delegate recalled moreover that these considerations had already been set out in COCOM Document No. 3470 and that the German Delegation had then supported the French position as to the non-strategic nature of the cables involved. The Delegate then read a passage from the Report of the International Telecommunications Union on which was based in part the French argument as to the impossibility of using railway cables for communications:

"Type "(12 + 12)" systems on symmetric cable pairs are used (without the need for laying a second cable) on either old de-loaded cables or (in special cases) on cables specially laid (these generally being short). Therefore it is very unlikely that, in the international network, the systems will be used for long distances or will involve more than two countries."

10. The UNITED STATES Delegate explained in response to his French colleague's remarks (paragraph 7 above) concerning the presence of coaxial cables in Post Office cables, that the use of such cables was limited to the lines used for television and to densely-populated regions. Reverting to the example of the cable ordered by the Russians, the Delegate emphasized that, according to the information supplied by the Delegations from countries to which enquiries had been sent, this cable was intended for a region which could not be called densely populated and in these circumstances the communications capacity of the cable, even if it were partially used for telecommunications, exceeded very considerably the needs of the area involved. There was no way of differentiating a railway cable from another type of communication cable; solely the electrical properties of the cable and the equipment added by the purchasing country determined the use to which the cable should be put. It was impossible to determine a priori the utilisation of a cable even in the case of a coaxial cable. According to the Soviet statements, the cable which had been ordered would be laid in a region in which the Russians had taken six years to lay 2,200 or 2,400 kilometres of symmetrical cables; it was a question now however of offering to Russia a

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(taken to mean the transmission of instructions from point to point) and  
Telecommand

cable which would provide a communications capacity far superior to that available at present and the Delegate considered that no one could fail to be struck by the strategic consequences of such a supply. Reverting to the amendment proposed by the French Delegation for Item 1526, the Delegate associated himself with his United Kingdom colleague's remarks to the effect that the concept of Telecommands and Telecontrols was the same whether it was a question of a railway command system or a weapons command system. He emphasized once more that the loading of certain quads of the cable ordered by the Russians could not be taken into consideration, owing to the fact that this was a factor determined solely at the time the cable was laid and that one country which had proposed to have its own technicians carry out the installation of the cables had had this offer refused by the Soviet authorities.

11. As to the idea of "special design", the Delegate, reverting to the example of the cable ordered from France, stressed once again that, far from being "specially designed for railway signalling", this cable corresponded to the standards set up by the International Telecommunications Union for communication cables; in support of this statement, he quoted the following passage from the Report of the International Telecommunications Union:

"Basic clauses of a model specification for the supply of star quad cable designed to provide 12, 24, 36, 48 or 60 carrier telephone channels on each quad pair.

The new cable which will be laid in the European international telephone network will have unloaded symmetric pairs designed to be used for 12, 24, 36, 48 or 60 carrier telephone channels on each pair. These pairs should be laid up in star quads and all the unloaded pairs of the same cable should be one of the 3 types the characteristics of which are shown in the table below:

	Type 1	Type 2	Type 3
Diameter of conductors	0.9 mm	1.2 mm	1.3 mm "

The supplementary characteristics quoted by the French Delegation in no way sufficed to establish that it was a question of a cable "specially designed for railway signalling".

12. The GERMAN Delegate stated that as the French proposal was still being studied by his Government he had not received final instructions. Referring to the statement by the French Delegate (paragraph 9 above), the Delegate wished to stress that his Delegation's statements had been made in the belief that the cables involved were in point of fact covered by Item 1526.

13. The CANADIAN Delegate stated that after consideration of the French proposal his Government were of opinion that the type of equipment which would be excluded from the embargo possessed a communication capacity warranting their retention on List I. The Canadian Government in any event were not in favour of narrowing or altering the embargo coverage of Item 1526. As to Item 4481, the Canadian Government would be in favour of amending it so as to stop up any possible loopholes and to make it clear that cables which could be used for communications would be excluded.

14. The TURKISH Delegate stated his readiness to take part in a discussion on the amendment of Items 1526 and 4481, provided that the embargo would continue to cover the cables which his Government considered to be highly strategic and in particular those which the Committee had discussed at length in the course of the past weeks.

15. The JAPANESE Delegate stated that in the opinion of his Government the amendment proposed by the French Delegation was not sufficiently clear to avoid diverging interpretations; in particular, the terms "specially designed" and "service communications" seemed far too vague. The Japanese Government were nevertheless prepared to study any new and more specific wording which might be submitted.

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16. The FRENCH Delegate pointed out that the term "specially designed" appeared in numerous definitions in the International Lists, but that nevertheless his Delegation were quite willing to amend their proposal, which they did not look upon as in any way sacrosanct.
17. The NETHERLANDS Delegate stated that according to his present instructions his Government could not accept the French proposal; he would however transmit to his authorities the technical details supplied during the present discussion and would request new instructions.
18. The DANISH Delegate stated that he had not received final instructions on the proposal for an amendment submitted by the French Delegation. In view however of the fact that, during the earlier discussions on the cables ordered by the U.S.S.R., his Delegation had been instructed to state the view that these cables were covered by Item 1526, and that there had been nothing to indicate a belief that there was any accident of definition, the Delegate felt able to state that his Government would not be able to accept the proposed amendment.
19. The ITALIAN Delegate noted with some surprise that the French and United States experts had been able, by referring to the same text, which might be described as an international technical code, to reach diametrically opposite conclusions. He felt that it would be useful to clarify this point so as to enable Member Governments to form an objective opinion.
20. The FRENCH Delegate replied that the text referred to by the United States Delegate concerned 4-wire communications; the French Delegation had indicated however that the cables whose exclusion they had proposed could not normally be used with four wires. The UNITED STATES Delegate stated that he had referred to various chapters of the Report in question. He had indicated that the passage quoted by the French Delegation concerned systems which were more limited than the cables involved because they were designed for a narrower band of frequencies. Moreover, while it was correct that the I.T.U. mentioned "generally laid over short distances", it should be noted that in the United States such circuits were used in telephony with frequency-carriers on distances going up to 1,000 miles.
21. The ITALIAN Delegate, stressing the importance of maintaining cohesion and unanimity between Member Governments, enquired how the conclusions of the present debate should be interpreted in the light of the discussions held on the 13th and 16th April and recorded respectively in COCOM Docs. 3489 and 3492.
22. The CHAIRMAN stated that if the debate were to be closed at this juncture, the Committee would have to register four firm objections to the French amendment proposal. As to the interpretation of the items involved, the Chairman pointed out that the whole of the Committee, with the exception of one Delegation, considered that the cables ordered by the U.S.S.R. were covered by Item 1526.
23. The DANISH Delegate, referring to his Italian colleague's statements on the unanimity question, pointed out that the application of this rule was perfectly clear when it was a matter of amending a definition in the Lists. As to an interpretation question, however, the Delegate found it difficult to see how the unanimity rule could apply in practice, for if one Government adopted a different interpretation from that of the others, the Committee would find itself in a blind alley; it would seem that in such an event the majority rule would constitute the only practical problem.
24. The CHAIRMAN agreed that the proposal was a useful one, but said that it would mean an innovation because, although in practice the minority joined the views of the majority, there was no ruling to that effect.

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25. The UNITED STATES Delegate stated that he was in complete agreement with what the Chairman had said and felt that it would be natural for a Government, having asked other Members of the Committee for their interpretation of the scope of a definition, to bow to the opinion expressed by the greatest number.
26. At the request of one Delegation, the CHAIRMAN summed up as follows the situation at the close of the days discussions: four Delegations - those of Canada, the United States, the United Kingdom and Turkey - had raised firm objections to the amendment proposal submitted by the French Delegation. The Netherlands Delegation was not in favour of this amendment proposal; the Danish Delegate had stated his personal belief that his Government would be unable to accept it; and the Japanese Delegation, considering this proposal to be too vague to prevent divergent interpretations, had declared themselves ready to consider a more detailed proposal. The Committee had therefore to take note that the French proposal had not been accepted. Thus the Committee had been brought back to the earlier situation in which they had had to note that on the question of interpretation 14 countries believed that the cables ordered by the U.S.S.R. were covered by Item 1526, while the French Delegation considered that they were covered by Item 4481. The Chairman then asked the French Delegate what conclusions he intended to draw from the views expressed by the Committee.
27. The FRENCH Delegate stated that he would have anticipated that the present technical debate would not confine itself to a bilateral exchange of views between the United States Delegation and his own; and recalled that it was clear from COCOM Doc. 3470 that the Belgian, German, Italian and Japanese Delegations, while considering that the cables involved were covered by Item 1526 (save for the Belgian Delegation) believed nevertheless that they had no great strategic value. Emphasizing once again that the amendment proposal submitted by his Delegation could very well be changed, the Delegate stated that it would seem to him to be desirable, before concluding the present debate, to hear the views on the strategic value of railway cables of the four Delegations to which he had just referred and to leave to Member Governments the possibility of appreciating the arguments exchanged in the course of the present meeting; at the same time, the French Delegation would endeavour to draw up a more detailed definition.
28. Following a lengthy exchange of views, in the course of which the Chairman emphasized that each Government was entitled to base their views on a political assessment without going into technical details, the COMMITTEE agreed that on the 27th April they would conclude the discussion on the amendment of Items 1526 and 4481 and would possibly discuss afresh the interpretation problem raised by these items.
29. On the 23rd April the French Delegate invited Delegations to take part in a journey organised so as to enable the Committee to inspect on the Dôle-Vallorbe line the S.N.C.F. installations equipped with the cables whose exclusion from Item 1526 was being proposed by the French Government.
30. As this journey was to take place on the 28th April, the COMMITTEE agreed to resume its discussion on the 29th April.
31. On the 27th April, the COMMITTEE agreed to postpone the resumption of the debate to the 6th May.

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